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## Council

### OPEN MINUTES

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**Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 1 June 2017 at 9.36am.**

#### PRESENT

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	Cr M Bunting
	Cr J R Casson
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr P Southgate
	Cr G Taylor
	Cr L Tooman

In Attendance:	Richard Briggs – Chief Executive
	Chris Allen – General Manager City Infrastructure
	Lance Vervoort – General Manager Community
	Sean Hickey – General Manager Strategy and Communications
	Kelvyn Eglinton – General Manager City Growth
	David Bryant – General Manager Corporate
	Blair Bowcott – Executive Director Special Projects
	Tracey Musty – Financial Controller
	Debra Stan-Barton – Planning Guidance Unit Manager
	John Purnell – Parking Team Leader
	Nigel Ward – Communications Team Leader
	Luke O'Dwyer – Economic Development and Planning Unit Manager
	Jason Harrison – City Transportation Manager
	Julie Clausen – Programme Manager Strategy
	Sarah Ward – Programme Manager Corporate Planning
	Matthew Bell – Rates and Revenue Manager
	Chelsey Stewart – Project Manager
	Helen Paki – Community Business Manager

Lachlan Muldowney – City Barrister  
David Foster - Contractor

Governance Advisors: Lee-Ann Jordan – Governance Manager  
Becca Brooke – Governance Team Leader  
Amy Viggers – Committee Advisor

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Tame Pokaia carried out a blessing and Bishop Helen-Ann Hartley read a short bible reading to open the meeting.

**1. Apologies**

**Resolved:** (Crs Casson/Gallagher)

That the apologies from Cr Yeung and Cr Southgate (for lateness) are received and accepted.

**2. Confirmation of Agenda**

**Resolved:** (Crs Taylor/Gallagher)

That the agenda is confirmed.

**3. Declarations of Interest**

No members of the Council declared a Conflict of Interest.

**4. Public Forum**

No members of the public wished to speak.

**5. Council Minutes - 4 May 2017**

**Resolved:** (Crs O'Leary/Casson)

That the Council confirm the Minutes of the Council Meeting held on 4 May 2017 as a true and correct record.

**6. Council Annual Plan Hearing Minutes - 18 May 2017**

**Resolved:** (Mayors King/Bunting)

That the Council confirm the Open Minutes of the Council Annual Plan Hearing Meeting held on 18 May 2017 as a true and correct record, noting the correction of Roger Stafford's name on page 18 of the agenda.

**7. Elected Member Briefing Notes - 10 May 2017**

**Resolved:** (Crs Henry/O'Leary)

That the Council confirm the notes of the Elected Member Briefing held on 10 May 2017 as a true and correct record.

## 8. Chair's Report

The Chair introduced his report, and provided some background on the establishment of the Regulatory Efficiency and Effectiveness Taskforce (REEP). He noted that the Taskforce was established with the aim of streamlining regulatory processes throughout Council and that any decisions to be made in relation to streamlining processes would be made at Council meetings. The role of the Taskforce was to come up with recommendations for improvement.

In order to provide a balanced Elected Member view, the Mayor indicated that he would like to nominate Cr O'Leary to be a member on the Taskforce.

Staff responded to questions from Elected Members concerning:

**The role and scope of the Taskforce and its membership make up.** It was confirmed that the two external members were Lachlan Muldowney and Tony McLaughlin. A planner (to be confirmed) would also be employed on a fixed term contract to assist staff with the review. The scope of the Taskforce was set out in the Terms of Reference and the Taskforce would report back to Council every 6 months or as decisions were required. An end date for the Taskforce would be determined once the scope of work was fully known.

**Indicative budgets and costs of the project and whether the project would be stretching resources.** The Chief Executive advised that he was confident that the work could be done within the specified budget. Dedicated resources would be put in place to ensure the pressure on staff was minimised.

**Duplication of work the Taskforce would be carrying out and Council's monitoring of the District Plan.** Staff advised that the REEP Taskforce would be carrying out a review of all regulatory functions within Council whereas the District Plan review and monitoring process would only focus on the District Plan. The two processes would take place in tandem with each other but the REEP Taskforce would be covering a much larger scope than just the District Plan.

**Housing Accord – impact on rate payers.** Staff confirmed that the Housing Accord wouldn't result in a rates increase. It would be largely funded by prioritising projects through the 10 Year Plan process.

In response to questions from Elected Members about the increasing number taskforces, the Chief Executive advised that he would be looking at how they are structured, their purpose and any controls needed.

The Governance Manager responded to questions concerning the applicability of Standing Orders to the recommendations in the Chair's Report.

**Motion:** (Mayor King/Cr Casson)

That the Council:

- a) receives this report; and
- b) approves the draft terms of reference for the Regulatory Efficiency and Effectiveness Taskforce, noting Cr O'Leary be added as a taskforce member.

**The Motion was put.**

**Those for the Motion:**

Mayor King, Councillors Gallagher, Mallett, Macpherson, Bunting, Casson, Henry, Southgate and Taylor.

**Those against the Motion:**

Councillors Pascoe, Tooman and O'Leary.

**The Motion was declared carried.**

**Resolved:** (Mayor King/Cr Casson)

That the Council:

- a) receives this report; and
- b) approves the draft terms of reference for the Regulatory Efficiency and Effectiveness Taskforce, noting Cr O'Leary be added as a taskforce member.

***The meeting adjourned 11.05am – 11.23am.***

**Resolved:** (Crs Bunting/Southgate)

That the Council:

- a) notes the report for the draft Hamilton Housing Accord Policy will be submitted to the Growth and Infrastructure Committee for consideration on 20 June 2017; and
- b) delegates authority to the Growth and Infrastructure Committee to approve the draft Hamilton Housing Accord Policy.

*Cr Southgate joined the meeting (10.00am) during the discussion of the above item. She was present when the matters were voted on.*

## **9. 2017/18 Annual Plan Deliberations**

The General Manager City Infrastructure and the Programme Manager Strategy introduced the section of the report relating to the parking proposal. They outlined that the report provided a summary of submissions and points of clarification resulting from the Hearings on the Parking Proposal. They noted that staff had not put forward a recommendation in relation to the parking proposal but rather had provided four options for Elected Members to consider. The reason for this was the taskforce had not had the opportunity to discuss the parking proposal and submissions and make a recommendation to Council as per the agreed process.

Staff noted that Council could choose to go ahead or not go ahead with the proposal but they were unable to change it in a manner that would be substantially different as this would require further consultation.

Staff and Cr Taylor (Chair of the Parking Taskforce) responded to questions from Elected Members concerning the following points:

**Clarification on the Crs Taylor/Bunting motion concerning the trial period, payment arrangements and time limits.** It was confirmed that the motion put forward a trial period for the proposal so that data could be obtained to enable better informed decisions around parking in the future and through the 10 Year Plan process. Parking would be free for the first 2 hours then people would be charged \$6 per hour after that.

**Technology capabilities.** Staff advised that the new technology had the ability to sense a car had parked and therefore staff could monitor parking movements during the course of a day within the City. Sensors would be placed in all parking spaces within the CBD area. Parking users would get an immediate warning through the app when their 2 hours free parking was up. The new technology meant that Council would be able to gather more complex and accurate information than they had previously been able to do. Parking meters would be kept to be used in conjunction with the new parking app to cater to the various parking users and the way they wished to pay.

**Funding and costs of the parking proposal.** Staff confirmed that the only targeted rate would be for commercial properties within the CBD area. It would exclude residential properties and commercial properties outside the CBD area. It was estimated that there would be a further \$750,000 loss in revenue over and above the loss of revenue identified in the parking proposal that went out for consultation.

**Potential effect of the parking proposal on City revitalisation and the measures to ascertain this.** The General Manager City Infrastructure noted that free parking was aimed to be a short term policy to enable better utilisation of the CBD. At some point down the line, when saturation levels for on street parking were reached, Council may need to adjust prices to manage optimum utilisation. The proposal had the aim of increasing shopper numbers to the CBD and incentivising commuters to use off street parking. This would be done by charging \$6 per hour after the first 2 hours. The 8am to 8pm limits for charging would still apply.

The CE noted in response to questions, that staff would be working with businesses and other organisations such as Hamilton Central Business Association regarding measuring other CBD revitalisation indicators.

**Consultation outcomes.** Staff confirmed that the proposed Crs Taylor/Bunting responded in part to matters raised through the submissions and Hearings process. Various sections of the deliberations report were clarified and it was noted that the trial would enable Council to make more informed decisions in the future based on obtaining improved and more complex data.

Following the vote on the Parking section of the annual plan and after the below adjournment, the General Manager Corporate and General Manager Strategy and Communications introduced the remaining section of the Annual Plan Deliberations Report, noting that there had been a reduction in the capex programme by \$11m which had impacted the depreciation and forecasting cost, leading to a surplus position of \$1m. After the decisions made at this meeting concerning the Parking Proposal and the REEP Project, the surplus was now down to zero.

Staff provided clarification and explanation on the figures and costs concerning the following points:

- The extra amount of \$1.30m capital works was attributed to the River Plan spend.
- Capex programme and deferrals were a mixture of full and part projects and were affected by various factors in terms of timing.
- Founders Theatre renewals needed to be removed.
- Explanation of tenancy inducements and sale of properties.
- Wastewater projects cost clarification
- Ruakura infrastructure cost clarification
- Break down of Annual Plan development costs (to be provided at a future meeting)

It was noted that had the surplus (noted above) not have been used on projects, it would have been attributed towards debt.

**Resolved:** (Crs Taylor/Bunting)

That Council:

- a) receives the report; and
- b) notes the outcome of the consultation on the free two-hour on-street parking proposal in the Central Business District (CBD).

**Motion:** (Crs Taylor/Bunting)

That Council approves the Parking Proposal for implementation in 2017/18 with the following amendments:

- i. The continuation of parking meters in the central city;
- ii. Removal of the proposed increase to the Access Hamilton Targeted Rate (noting that the targeted rate for the Central Business Improvement District is retained);
- iii. Provision for paid on-street parking beyond the 2 hours free parking limit;
- iv. An increase to user pays charges for metered on-street parking from \$2 per hour to \$6 per hour for every hour after the first 2 hours; and
- v. The proposal will be implemented as a trial with a review by Council prior to 30 June 2018.

**The Motion was put.**

**Those for the Motion:**

Mayor King, Councillors Gallagher,  
Pascoe, Macpherson, Bunting, Casson,  
Henry, Southgate and Taylor

**Those against the Motion:**

Councillors Mallett, Tooman and O'Leary

**The Motion was declared carried.**

**Resolved:** (Crs Taylor/Bunting)

That Council approves the Parking Proposal for implementation in 2017/18 with the following amendments:

- i. The continuation of parking meters in the central city;
- ii. Removal of the proposed increase to the Access Hamilton Targeted Rate (noting that the targeted rate for the Central Business Improvement District is retained);
- iii. Provision for paid on-street parking beyond the 2 hours free parking limit;
- iv. An increase to user pays charges for metered on-street parking from \$2 per hour to \$6 per hour for every hour after the first 2 hours; and
- v. The proposal will be implemented as a trial with a review by Council prior to 30 June 2018.

***The meeting adjourned 1.30pm – 2.30pm.***

**Motion :** (Crs Taylor/Bunting)

That Council:

- a) approves the budget adjustments recommended in sections 141-148 of this report with the following amendments:
  - i) a further reduction in forecast revenue from parking in 2017/18 of \$750,000 for the 9 month period to 30 June 2018, to reflect the amended parking proposal;

- ii) an increase in operating cost of \$325,000 in 2017/18 to reflect the cost of the Regulatory Effectiveness and Efficiency Programme; and
- iii) a reduction in the request for additional funding to produce the 2018-28 10 Year Plan in 2017/18 from \$350,000 to \$310,000
- b) approves the 2017/18 fees and charges not yet approved with a further change to increase user pay parking charges from \$2 per hour to \$6 per hour after the first 2 hours;
- c) confirms the 2017/18 Annual Plan budget as final – incorporating decisions of Council at this meeting;
- d) approves the amended Revenue and Financing Policy, amended Funding Needs Analysis Policy, and amended Rating Policy;
- e) notes that staff will regularly monitor parking data and parking revenue for the free two hour parking trial; and
- f) notes the taskforce will establish and maintain regular contact with the Hamilton Central Business Association to assess business benefit gained during the trial period before implementation of the 10 Year Plan in 2018.

**Those for the Motion:**

Mayor King, Councillors Gallagher, Pascoe, Macpherson, Bunting, Casson, Henry and Taylor.

**Those against the Motion:**

Councillors Mallett, Tooman and O'Leary.

**The Motion was declared carried.**

**Resolved :** (Crs Taylor/Bunting)

That Council:

- a) approves the budget adjustments recommended in sections 141-148 of this report with the following amendments:
  - i) a further reduction in forecast revenue from parking in 2017/18 of \$750,000 for the 9 month period to 30 June 2018, to reflect the amended parking proposal;
  - ii) an increase in operating cost of \$325,000 in 2017/18 to reflect the cost of the Regulatory Effectiveness and Efficiency Programme; and
  - iii) a reduction in the request for additional funding to produce the 2018-28 10 Year Plan in 2017/18 from \$350,000 to \$310,000
- b) approves the 2017/18 fees and charges not yet approved with a further change to increase user pay parking charges from \$2 per hour to \$6 per hour after the first 2 hours;
- c) confirms the 2017/18 Annual Plan budget as final – incorporating decisions of Council at this meeting;
- d) approves the amended Revenue and Financing Policy, amended Funding Needs Analysis Policy, and amended Rating Policy;
- e) notes that staff will regularly monitor parking data and parking revenue for the free two hour parking trial; and
- f) notes the taskforce will establish and maintain regular contact with the Hamilton Central Business Association to assess business benefit gained during the trial period before implementation of the 10 Year Plan in 2018.

*Cr Southgate left the meeting (2.55pm) during the debate on the above matter. She was not present when matter was voted on.*

**Resolved:** (Crs Taylor/Bunting)

That Council notes the final 2017/18 Annual Plan document will be prepared for approval at the Council meeting on 29 June 2017.

**10. Contract 16114 - Variation to approved contract sum for Civil Defence and Emergency Management Contract**

The Executive Director, Special Projects took the report as read. He responded to questions from Elected Members concerning the reasons for the increase in costs and why an increase was required.

It was explained that the fit out was more complicated than initially thought and the space required for staff was greater than originally planned.

Elected Members raised concerns around the perceived number of project management miscalculations and resulting cost overruns. They asked that better processes be put in place to manage projects in the future. The Executive Director, Special Projects also responded to questions regarding the nature of the contractual agreement with Waikato District Council and implications of not approving the increase in contract sum.

**Motion:** (Crs Tooman/Mayor King)

That the Council;

- a) receives the report; and
- b) approves an increase of \$300,000 to the Approved Contract Sum for Contract 16114 Civil Defence Emergency Management Activity for a term of 6 years 9 months from \$2,800,000 to \$3,100,000 excluding GST (including a contingency to reflect actual employee related costs once recruited).

**The Motion was put.**

**Those for the Motion:** Mayor King, Councillors Gallagher, Pascoe, Mallett, Tooman, O'Leary, Bunting and Taylor.

**Those against the Motion:** Councillors Macpherson, Casson and Henry.

**The Motion was declared carried.**

**Resolved:** (Crs Tooman/Mayor King)

That the Council;

- a) receives the report; and
- b) approves an increase of \$300,000 to the Approved Contract Sum for Contract 16114 Civil Defence Emergency Management Activity for a term of 6 years 9 months from \$2,800,000 to \$3,100,000 excluding GST (including a contingency to reflect actual employee related costs once recruited).

**11. Council Draft 2017 Schedule of Reports**

The Governance Manager took the report as read. She responded to questions from Elected Members concerning the timing of reports.

**Resolved:** (Crs Mallett/Pascoe)

That Council:

- a) receives the draft 2017 Schedule of Reports; and
- b) notes that the Schedule of Reports is intended to be a living document to be updated as necessary with changes notified to Committee members.

**12. Representation Arrangements Review Taskforce - Terms of Reference**

The Governance Manager introduced the report, noting that the report responded to a request from an Elected Member briefing for a small taskforce to liaise with staff on various issues concerning the Representation Review.

It was clarified that the taskforce would not make any decisions and that all decisions regarding this matter would be made by Council.

Elected Members discussed the merit of having a taskforce or not. There was no requirement to have a taskforce, as the matter would be regularly be reported back through briefing sessions and at Council Meetings.

Questions were also raised around the process of the Representation Review. The Governance Manager advised that the process was prescribed by legislation and could be subject to judicial review. Staff would be ensuring all requirements were met and Elected Members would be actively involved in the process.

**Resolved:** (Deputy Mayor Gallagher/Mayor King)

That the Council receives the report

*Cr Southgate re-joined the meeting (4.05pm) during the above Item. She was present when the matter was voted on.*

**13. Approval of Hamilton Public Transport Joint Committee Terms of Reference Change**

Cr Macpherson provided a brief outline concerning the changes to Chairing arrangements.

**Resolved:** (Crs Gallagher/Macpherson)

That Council approve the Terms of Reference and Joint Committee Agreement for the Hamilton Public Transport Joint Committee be updated to reflect the changes in Chairing arrangements for the 2016-2019 Triennium.

**14. Recommendation to Council from Community and Services Committee Meeting - 16 May 2017**

**Resolved:** (Crs Bunting/Casson)

That Council appoints Cr Paula Southgate to the Rototuna Indoor Recreation Centre Trust Board.

**15. Resolution to Exclude the Public**

**Resolved:** (Crs Casson/Gallagher)

**Section 48, Local Government Official Information and Meetings Act 1987**

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Council Minutes - Public Excluded - 4 May 2017	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987 ) ) ) )	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
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**The meeting went into a public excluded session at 4.26pm.**

**The meeting was declared closed at 4.30pm.**